

S/N 09/031,639

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christophe Pierrat et al.

Examiner: S. Rosasco

Serial No.: 09/031,639

Group Art Unit: 1756

Filed: February 27, 1998

Docket: 303.311US1

Title: METHOD FOR OPTIMIZING PRINTING OF A PHASE SHIFT MASK
HAVING A PHASE SHIFT ERROR

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.47(a)

ATTN: Special Program Law Office
Mr. Steven Brantley

In response to the decision dated January 10, 2000 (hereinafter "the decision") on the petition under 37 C.F.R. 1.47(a), filed October 5, 1998 (hereinafter "the petition"), Applicant respectfully submits the following request for reconsideration of petition under 37 C.F.R. 1.47(a) along with a copy of the original declaration, petition and the affidavit of Diane M. Wimperis.

The decision indicated that the petition lacked (1) a proper oath or declaration executed by the available joint inventor(s) and (2) the last known address of the omitted inventor(s). With regard to item 1, the decision indicated that "the address listed on the oath differs from the last known address stated in the petition." The decision also stated that "[a] supplemental declaration must be submitted that lists the last known address of the inventor [i.e., Nanseng Jeng] if it is not 2590 E. Bergeson St., Boise, ID, 83706. However, the signing inventor, Christophe Pierrat, is no longer employed by the assignee and owner of the above-identified application, Micron Technology Inc. Therefore, in accord with the conversation on January 20, 2000 between Steven Brantley and Jane Brockschink, a paralegal at Schwegman, Lundberg, Woessner and Kluth, P.A., the firm representing Micron Technology, Inc. herewith, Applicant respectfully submits the following facts in lieu of a supplemental declaration.

In particular, Applicant respectfully submits that at the time of the signing of both the oath and the petition, based on Applicant's knowledge, the two different addresses for the omitted inventor were accurate. Applicant also submits that the omitted inventor's address on the oath differs from such individual's last known address stated in the petition because from the time of the signing of the oath to the time of the signing of the petition Applicant discovered that the address of the omitted inventor had changed. In particular, at the time of the signing of the oath the address of the omitted inventor was 2590 E. Bergeson St., Boise, ID, 83706. However, Applicant discovered that between the time of the signing of the oath and the signing of the

petition, the omitted inventor's address had changed to 501 SE - 123rd Avenue, Vancouver, WA 98684. The petition, therefore, reflected this change of address for the omitted inventor.

With regard to item 2, the decision indicated that "the last known address listed on the petition differs from the address listed on the declaration." Moreover, the decision stated that "[a] grantable petition must list the last known address of the inventor." In light of the remarks set forth above concerning item 1, Applicant respectfully submits that the last known address of the omitted inventor is 501 SE - 123rd Avenue, Vancouver, WA 98684. Accordingly, Applicant submits that the foregoing facts along with the petition and Affidavit of Diane M. Wimperis attached thereto establish a bona fide attempt to comply with the provisions of Rule 47, and accordingly requests that Applicant's reconsideration of petition under 37 C.F.R. 1.47(a) be granted.

Respectfully submitted,

CHRISTOPHE PIERRAT ET AL.

By their Representatives,

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Date 1-25-00

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I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.


Jane E. Brockschink

1/25/00
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